

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No.: 02-415-A1)

In re Application of:)
))
Maillard, et al.) Examiner: June M. Rogers
))
Serial No.: 10/517,981)
) Art Unit: 4173
Filed: July 14, 2005)
) Confirmation No.: 3761
For: Methods Of Treating)
Alzheimer's Disease Using)
Aromatically Substituted ω -)
Amino-Alkanoic Acid Amides)
and Alkanoic Acid Diamides)

RESPONSE TO THE RESTRICTION REQUIREMENT
MAILED FEBRUARY 4, 2008

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Restriction Requirement mailed February 4, 2008, the Applicants elect Group I, i.e., claims 1, 4-6, 20, 22, 23, and 25-30, for prosecution. Applicants note that claims 2 and 3 were not listed as being within Group I, or within any of the groups recited in the Restriction. Both of these claims are directed to a method of treating Alzheimer's disease and Alzheimer's disease is within Group I. Thus, Applicants submit that both of these claims properly fall within Group I and respectfully request that Group I be recast by the Examiner to include claims 1-6, 20, 22, 23, and 25-30.

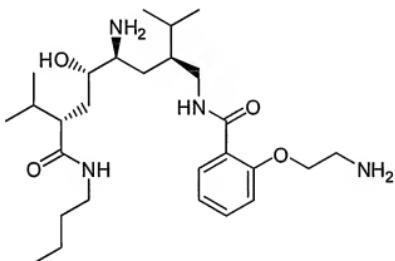
Elections of a compound species and a disease species from were required in the Restriction.

With respect to a disease species, Applicants elect Alzheimer's disease. The claims reading on this species are claims 1-6, 20, 22, 23, and 25-30.

With regard to the compound species election, the Applicants further elect the following compound:

(2S,4S,5S,7S)-N-(4-amino-7-butylcarbamoyl-5-hydroxy-2-isopropyl-8-methyl-nonyl)-2-(2-aminoethoxy)-benzamide.

This compound is shown in Example 38(b), found on page 199 of the specification, and can be represented by the following structural formula:



The compound claims reading on the elected species are: 1-6, 22, 23, and 25-30.

The Examiner has requested that the Applicants explain how the elected species meets the substituent definitions in the claims. The following is such an explanation:

R₁: 2-R_A-3-R_B-phenyl radical where
R_A is aliphatically etherified hydroxy and R_B is
hydrogen or
2-R_A-4-R_C-phenyl radical where
R_A is aliphatically etherified hydroxy and R_C is
hydrogen;

R₂: isopropyl;

R₃: amino;

R₄: isopropyl;

R₅: n-butyl;

X₁: carbonyl;

X₂: methylene.

The Applicants invite the Examiner to contact the Applicants' undersigned representative at (312) 913-2136 if the Examiner believes that this would expedite prosecution of this application.

Respectfully submitted,

DATED: May 5, 2008 By:

/Steven J. Sarussi/
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